

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7552

Petition of Kettle Brook Condominium Owners')
Association, of Ludlow, Vermont, versus)
Okemo Limited Liability Company re provision)
of water service and charges related thereto)

and

Docket No. 7568

Petition of Okemo Limited Liability Company)
for a certificate of public good: (1) authorizing)
Okemo Water Service, LLC, to own and operate)
the Kettle Brook Water System at the Okemo)
Mountain Resort in Ludlow, Vermont; (2) to)
establish rates for such service; and (3) to obtain)
financing in connection therewith)

Order entered: 3/31/2011

REVISED SCHEDULING ORDERS

Scheduling Orders for these two dockets were entered on December 21, 2010. Following a request by counsel for Okemo Limited Liability Company ("Okemo LLC") for an extension of a discovery response deadline until February 11, 2011, which was agreed to by the other parties, the parties filed proposals for revised schedules going forward in these dockets. Based on the letter filed on March 14, 2011, by counsel to Okemo Mountain Lodge Condominium Owners Association, Inc. ("OML") and the letter filed on March 21, 2011, by counsel to Okemo LLC, there is now agreement among all the parties on a revised schedule for the two dockets.

Based on the agreement of the parties, I adopt the following revised schedule for the two dockets:

April 1, 2011	Deadline for additional discovery requests on prefiled testimony of Okemo LLC
April 15, 2011	Additional discovery responses due
April 29, 2011	Prefiled testimony of Kettle Brook Condominium Owners Association, Inc. ("Kettle Brook") and OML due Department of Public Service's ("Department") prefiled testimony in Docket 7568 due
May 20, 2011	Deadline for initial discovery requests on prefiled testimony of Kettle Brook, OML and Department
June 17, 2011	Discovery responses due
July 1, 2011	Deadline for additional discovery requests on prefiled testimony of Kettle Brook, OML and Department
July 22, 2011	Additional discovery responses due
August 5, 2011	Okemo LLC's prefiled testimony in Docket 7552 and rebuttal testimony in Docket 7568 due
August 12, 2011	Deadline for discovery requests on any testimony of Okemo LLC prefiled on August 5, 2011
August 26, 2011	Discovery responses due
September 9, 2011	Prefiled rebuttal testimony of Kettle Brook and OML due Department's prefiled testimony in Docket 7552 and rebuttal testimony in Docket 7568 due
September 16, 2011	Deadline for discovery requests on any testimony prefiled on September 9, 2011

October 7, 2011

Discovery responses due

On or after October 21, 2011

Technical hearings

The revised schedule would delay any final litigated resolution of these dockets by the Public Service Board by more than two and one-half months as the schedule originally contemplated technical hearings on or after August 2, 2011. This somewhat leisurely schedule is approved with the expectation that it will provide additional time for the parties' own efforts to reach a mutually acceptable arrangement to resolve their underlying disputes without further litigation and expense.

As noted in the Scheduling Orders of December 21, 2010, the parties intend that the above schedule will govern the proceedings in both dockets. The parties are reminded, once again, that these two proceedings have not been consolidated, nor has any motion been filed to consolidate them. Therefore, it is important that the parties identify the specific docket in which any testimony is filed and ensure that only testimony and other evidence that is relevant to a particular docket is offered for admission into evidence at the respective technical hearings (which may be held on the same date).

SO ORDERED.

Dated at Montpelier, Vermont, this 31st day of March, 2011.

s/ Lars Bang-Jensen

Lars Bang-Jensen
Hearing Officer

OFFICE OF THE CLERK

FILED: March 31, 2011

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)